

**UNITED STATES DISTRICT COURT FOR THE  
WESTERN DISTRICT OF NORTH CAROLINA  
CHARLOTTE DIVISION  
NO. 3:05CR213**

**UNITED STATES OF AMERICA** )  
 )  
 **vs.** )  
 )  
 **(1) MATARBUS RAYNARD FEWELL** )  
 **a/k/a Randolph Harris** )  
 \_\_\_\_\_ )

**ORDER**

**THIS MATTER IS BEFORE THE COURT** on motion of the United States to allow amendment of the caption of the indictment contained in the above-captioned case to add the true name of the defendant. In support of its motion, the government asserts that the defendant is named in the caption of the indictment as Matarbus Raynard Fewell, and further asserts that the defendant's correct name is RANDOLPH HARRIS AUSTIN, a/k/a Matarbus Raynard Fewell, a/k/a Randolph Harris. The amendment offered by the government is ministerial and would in no way affect any substantive or procedural rights of the defendant. See United States v. Morrow, 925 F.2d 779, 781 (4th Cir. 1991).

**IT IS, THEREFORE, ORDERED** that the motion of the United States to amend the caption of the indictment is hereby **GRANTED**.

The Clerk is directed to certify copies of this order to the defendant, defense counsel, U.S. Probation, the U.S. Marshal Service, and the United States Attorney.

**Signed: August 26, 2005**

A handwritten signature in black ink, appearing to read 'D.C. Keesler', is written over a horizontal line.

David C. Keesler  
United States Magistrate Judge

